



Federal Communications Commission
445 12th St., S.W.
Washington, D.C. 20554

REGULATORY FEES FACT SHEET

August 2011

WAIVERS, REDUCTIONS AND DEFERMENTS OF REGULATORY FEES

The Commission's automated filing and payment system ("Fee Filer") is now available for filing and payment of FY 2011 regulatory fees. Regulatory fee payments must be made no later than 11:59 PM, Eastern Time, on September 14, 2011 at the location and address set forth in the Commission's rules at 47 C.F.R. §§ 1.1152 through 1.1156 for the specific category of fee involved. The Commission does not mail regulatory fee pre-bills, but instead places pre-bill information in the Commission's "Fee Filer" system. Accordingly, licensees and regulatees will not receive in the mail a paper copy invoice of the FY 2011 regulatory fee due.

As set forth in 47 U.S.C. 159(a), the Commission is required by Congress to collect regulatory fees to recover the regulatory costs associated with its enforcement, policy and rulemaking, user information, and international activities. Licensees and regulatees are assessed fees calculated as set forth in Assessment and Collection of Regulatory Fees for Fiscal Year 2011, Report and Order, 76 FR 49333 at ¶ 1 (August 10, 2011). The Commission also publishes industry-specific guidance in *Who Owes Fees & What is My Fee FY 2011*, which can be found on the Commission website at <http://transition.fcc.gov/fees/regfees.html>). The guidance in this Fact Sheet does not alter the Commission's rules that describe requirements, deadlines, and the procedures for filing fees and associated requests. If there is any difference between the rules and guidance in this Fact Sheet, the rules will control.

Licensees are solely responsible for accurately accounting for all licenses and for properly paying regulatory fees. Any data omission, erroneous or incomplete data submission, or payment deficiency may result in sanctions permitted under 47 U.S.C. 159(c) and 47 C.F.R. § 1.1164, including, but not limited to, a mandatory 25% late payment penalty, dismissal of pending actions, and/or revocation of any authorization. The Commission will invoke any lawful authority possessed under the Debt Collection Improvement Act of 1996 and the implementing rules to collect fees due or outstanding against licensees failing to meet their regulatory fee payment obligations. Thus, to avoid a 25% late-payment penalty, your fee must be paid by the due date using one of the methods described in the *Payment Methods and Procedures Public Notice for Fiscal Year 2011 Regulatory Fees*.

Under 47 U.S.C. 159(d) and 47 C.F.R. § 1.1166, the Commission may waive, reduce, or defer payment of a fee in specific instances, on a case-by-case basis, where good cause is shown and where waiver, reduction or deferral of the fee would promote the public interest. A petition for waiver of a regulatory fee either must be accompanied by the required fee or it must be accompanied by a petition to defer payment due to financial hardship, and supported by the required documentation of the financial hardship. If the fee is paid, and a waiver is granted, the fee that was submitted will be returned. A petition for waiver of a regulatory fee that does not include a payment or the required petition for deferral and supporting documentation will be dismissed, and a penalty may be imposed. If a request for a waiver, reduction or deferral is accompanied by a fee payment, the fee payment

must be submitted to the Commission's lockbox bank at the appropriate address set forth in the Commission's rules. If no fee payment is submitted, the request should be filed with the Commission's Secretary. The Commission's website at <http://www.fcc.gov/encyclopedia/electronic-and-hard-copy-filing-address> provides the addresses for filing hardcopy documents. Requests for waiver of a regulatory fee should be clearly marked Attn: Office of the Managing Director, Regulatory Fee Waiver/Reduction Request, *e.g.*:

Marlene H. Dortch, Secretary
Federal Communications Commission
Attn: Office of the Managing Director, Regulatory Fee Waiver/Reduction Request
445 12th Street, S.W.
Washington, D.C. 20554

All requests for waiver accompanied by a petition for deferral of payment must be received by **September 14, 2011**. Any request for waiver received after that date will be assessed a penalty equal to 25% of the amount of the fee not paid in a timely manner.

- FCC -